



Tier I Site Assessment

Main CSJ: 0353-03-100

Form Prepared By: Garrett P. Weiberg- Cox | McLain Environmental Consulting, Inc.

Date of Evaluation: February 28, 2019

Project is classified as a Categorical Exclusion

Proposed Letting Date: January 2022

Project not assigned to TxDOT under the NEPA Assignment MOU

District(s): Fort Worth

County(ies): Tarrant

Roadway Name: State Highway (SH) 114

Limits From: Farm-to-Market Road (FM) 1938

Limits To: Dove Road

Project Description: The Fort Worth District of the Texas Department of Transportation proposes to add continuous two-lane frontage roads along State Highway (SH) 114 from Farm-to-Market Road (FM) 1938 (Davis Blvd) to Dove Rd to increase connectivity along this travel corridor, located in the City of Southlake, Town of Westlake, and Town of Trophy Club, Tarrant County, Texas. Additionally, the proposed project includes the reversal of the existing entrance and exit ramps from the "Diamond Configuration" to an "X Configuration" to increase mobility and safety along the SH 114 mainlanes and frontage roads. Along with these improvements, U-Turn lanes will be added along SH 114 for both eastbound and westbound directions at Kirkwood Blvd and on the west side of Dove Road.

Additional right-of-way will be needed along certain areas of the project, and it is anticipated that the needed right-of-way will be dedicated by the City of Southlake. In other areas, the project will be designed such that no additional right-of-way will be needed. In total the proposed project is located on 113.23 acres of existing right-of-way, 4.64 acres of proposed right-of-way, and 5.70 acres of temporary construction easements.

The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried-out by TxDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated December 16, 2014, and executed by FHWA and TxDOT.

1. Yes Is the project within range of a state threatened or endangered species or SGCN and suitable habitat is present?

*Explain:

The project is within range and suitable habitat is present for eight SGCNs and five state-listed threatened species:

Suitable habitat for the auriculate false foxglove [Agalinis auriculata (SGCN)], Osage Plains false foxglove (Agalinis densiflora [SGCN]), Texas milk vetch (Astragalus reflexus [SGCN]), Topeka purple-coneflower (Echinacea atrorubens [SGCN]), Henslow's Sparrow (Ammodramus henslowii [SGCN]), and Western Burrowing Owl (Athene cunicularia hypugaeais [SGCN]) located within the Blackland Prairie: Disturbance or Tame Grassland vegetation type. See Attachment 6, Attachment 12, and Attachment 13 in the Supporting Attachments.

Suitable habitat for the Louisiana pigtoe [Pleurobema riddellii (Threatened)], sandbank pocketbook [Lampsilis satura (Threatened)], Texas heelsplitter [Potamilus amphichaenus (Threatened)], and Texas pigtoe [Fusconaia askewi (Threatened)] is located within the project area within the perennial stream crossings of Kirkwood Branch and tributaries to Kirkwood Branch (Crossings 1, 2, and 3). See Attachment 6, Attachment 16, and Attachment 17 in the Supplemental Attachments.

Suitable habitat for the Texas garter snake [Thamnophis sirtalis annectens (SGCN)], Timber rattlesnake [Crotalus horridus (Threatened)], and Plains spotted skunk [Spilogale putorius interrupta (SGCN)] is located within the



Central Texas: Riparian Hardwood and the Cross Timbers: Post Oak Woodland observed vegetation types. See Attachment 6, Attachment 12, and Attachment 13 in the Supplemental Attachments.

Date TPWD County List Accessed: December 18, 2018

Date that the NDD was accessed: January 7, 2019

What agency performed the NDD search? TPWD

NDD Search Results for EOIDs and Tracked Managed Areas

EOID Number	Common Name	Scientific Name	Listing Status	Buffer Zone
9884	Texas heelsplitter	<i>Potamilus amphichaenus</i>	Threatened	1.5 Mile
12796	plains spotted skunk	<i>Spilogale putorius</i>	SGCN	10 Mile
11570	Mollisol Blackland Prairie	<i>Schizachyrium scoparium</i> - <i>Andropogon gerardii</i> - <i>Sorghastrum nutans</i> - <i>Bifora americana</i> <i>Mollisol Grassland</i>	G1G2/SNR	10 Mile

 No Does the BMP PA eliminate the requirement to coordinate for all species?

Comments:

The project commits to implement the appropriate species specific BMPs for the following species which may be impacted by the proposed project activities: Louisiana pigtoe (Threatened), sandbank pocketbook (Threatened), Texas heelsplitter (Threatened), Texas pigtoe (Threatened), Texas garter snake (SGCN), timber rattlesnake (Threatened), Henslow's Sparrow (SGCN), Western Burrowing Owl (SGCN), and plains spotted skunk (SGCN).

2. No NDD and TCAP review indicates adverse impacts to remnant vegetation?

Comments:

Both the NDD and TCAP indicate the presence of a remnant vegetation community (Mollisol Blackland Prairie) occurring within 10 miles of the project area. However, the absence of remnant vegetation within the project area was confirmed by qualified biologists during the September and December 2018 site investigations. Please see Attachment 8, Attachment 12, and Attachment 13 in the Supplemental Attachments.

3. No Does the project require a NWP with PCN or IP by USACE?

Comments:

According to current plans, the proposed project is anticipated to result in permanent impacts to Kirkwood Branch at Crossing #1 and at an unnamed tributary to Kirkwood Branch at Crossing #2 as illustrated on Attachment 16 and Attachment 17 of the Supplemental Attachments. The activities at Crossing #1 and Crossing #2 would be authorized by NWP 14 without a PCN.

Crossing #3 exists entirely within a culvert within the project area. No extension of the culvert at Crossing #3 is anticipated. Therefore, the construction of the proposed project will have no impacts on this water feature.



Tier I Site Assessment

4. Yes Does the project include more than 200 linear feet of stream channel for each single and complete crossing of one or more of the following that is not already channelized or otherwise maintained:
- No Channel realignment; or
- Yes Stream bed or stream bank excavation, scraping, clearing, or other permanent disturbance.

*Explain:

The project activities would require the grading and placement of rock riprap within 243 linear feet (0.075-acre) at Crossing #1 and 207 linear feet (0.049-acre) at Crossing #2. See Attachment 16 and Attachment 17 in the Supplemental Attachments.

5. No Does the project contain known isolated wetlands outside the TxDOT ROW that will be directly impacted by the project?

Comments:

No known isolated wetlands occur outside the TxDOT ROW, as verified by qualified biologists during the September 2018 and December 2018 field investigations. See Attachment 16 and Attachment 17 in the Supplemental Attachments.

6. Yes Would the project impact at least 0.10 acre of riparian vegetation?

*Explain:

According to current project plans, approximately 0.41 acres of Central Texas: Riparian Herbaceous Vegetation (Riparian MOU with a threshold of 0.10 acres) would be impacted by the proposed project as verified in the field by a qualified biologist. See Attachment 12-14 in the Supplemental Attachments.

7. Yes Does project disturb a habitat type in an area equal to or greater than the area of disturbance indicated in the Threshold Table Programmatic Agreement?

*Explain:

According to current project plans, approximately 0.41 acres of Central Texas: Riparian Herbaceous Vegetation (Riparian MOU) would be impacted by the proposed project as verified in the field by a qualified biologist. The Riparian MOU Type Threshold for the Crosstimbers Ecoregion is 0.10-acre. The proposed project is expected to exceed the Riparian MOU type threshold.

According to current project plans, approximately 2.85 acres of Cross Timbers: Post Oak Woodland (Crosstimbers: Woodland and Forest MOU) would be impacted by the proposed project. The Crosstimbers: Woodland and Forest MOU Type Threshold for the Crosstimbers Ecoregion is 2.0 acres. The proposed project is expected to exceed the Crosstimbers: Woodland and Forest MOU type threshold.

Please see Attachment 12, Attachment 13, and Attachment 14 in the Supplemental Attachments.

*Attach associated file of EMST output (Mapper Report or other Excel File which includes MOU Type, Ecosystem Name, Common/Vegetation Type Name) in ECOS

Excel File Name:

SH114_EMST_Clippped_to_Limits_of_Disturbance_Report_20190118

- 7.1. Yes Is there a discrepancy between actual habitat(s) and EMST mapped habitat(s)?



*Explain:

The EMST mapped vegetation types did not correspond with the observed vegetation types. Near the northern extent of the project area the EMST mapped Central Texas: Riparian Herbaceous Vegetation, Crosstimbers: Savanna Grassland, and Native Invasive: Mesquite Shrubland does not occur within the project area. The northern extent of the project area is entirely Urban Low Intensity. In the southern extent of the project area, EMST nearly matches the observed vegetation. Generally, areas mapped by EMST as Central Texas: Riparian Hardwood Forest coincided with the observed vegetation at the stream crossings within the project area. Additionally, areas mapped by EMST as Crosstimbers: Post Oak Woodland on the edges of the right-of-way were generally consistent with observed vegetation within the project area. Please see the Project EMST Vegetation Types, EMST Mapped Vegetation Type Figure, Observed Vegetation Types, and Observed Vegetation Types Figure found in Attachments 10-13 of the Supplemental Attachments.

Attach file showing discrepancy between actual and EMST mapped habitat(s).

File Name:

Please see the EMST Mapped Vegetation Types maps and the Observed Vegetation Types documentation in Attachments 10-14 of the Supplemental Attachments.

Is TPWD Coordination Required?

Yes

Early Coordination

Administrated Coordination - Must be conducted through ENV-NRM

BMPs Implemented or EPICs included (as necessary):

The proposed project commits to implement the following BMPs from the TPWD/TxDOT MOU:

The following BMPs are provided for freshwater mussels: Louisiana pigtoe (Threatened), sandbank pocketbook (Threatened), Texas heelsplitter (Threatened), and Texas pigtoe (Threatened) :

- When work is in the water; survey project footprints for state listed species where appropriate habitat exists.
- When work is in the water and mussels are discovered during surveys; relocate state listed and SGCN mussels under TPWD authorization and implement Water Quality BMPs.
- When work is adjacent to the water; Water Quality BMPs implemented as part of the SWPPP for a construction general permit or any conditions of the 401 water quality certification for the project will be implemented. No TPWD Coordination required.

The following BMPs are provided for the Texas garter snake (SGCN) and timber rattlesnake (Threatened):

- Apply hydromulching and/or hydroseeding in areas for soil stabilization and/or revegetation of disturbed areas where feasible. If hydromulching and/or hydroseeding are not feasible due to site conditions, utilize erosion control blankets or mats that contain no netting or contain loosely woven, natural fiber netting is preferred. Plastic netting should be avoided to the extent practicable.
- For open trenches and excavation pits, install escape ramps at an angle of less than 45 degrees (1:1) in areas left uncovered. Visually inspect excavation areas for trapped wildlife prior to backfilling.
- Inform contractors that if reptiles are found on project site to allow species to safely leave the project area.
- Avoid or minimize disturbing or removing downed trees, rotting stumps, and leaf litter where feasible.
- Contractors will be advised of potential occurrence in the project area, and to avoid harming the species if encountered.

The following BMPs are provided for the Henslow's Sparrow (SGCN) and Western Burrowing Owl (SGCN):

In addition to complying with the Migratory Bird Treaty Act (MBTA) perform the following BMPs:

- Prior to construction, perform daytime surveys for nests including under bridges and in culverts to determine if

they are active before removal. Nests that are active should not be disturbed.

- Do not disturb, destroy, or remove active nests, including ground nesting birds, during the nesting season;
- Avoid the removal of unoccupied, inactive nests, as practicable;
- Prevent the establishment of active nests during the nesting season on TxDOT owned and operated facilities and structures proposed for replacement or repair;
- Do not collect, capture, relocate, or transport birds, eggs, young, or active nests without a permit.

The following BMPs are provided for the plains spotted skunk (SGCN):

Contractors will be advised of potential occurrence in the project area, and to avoid harming the species if encountered, and to avoid unnecessary impacts to dens. Vegetation Disturbance: During construction, efforts would be taken to avoid and minimizing disturbance of vegetation and soils. Areas within the existing ROW, but outside the limits of construction, would not be disturbed. Every effort would be made to preserve trees where they would neither compromise safety nor substantially interfere with the proposed projects.

The following BMPs are provided as general construction BMPs:

Migratory Bird Treaty Act (MBTA): Between October 1 and February 15, the contractor would remove all old migratory bird nests from any structure that would be affected by the proposed project, and complete any bridge work/demolition and /or vegetation clearing. In addition, the contractor would be prepared to prevent migratory birds from building nests by utilizing nest prevention methods, such as bird-deterrent netting and bird-repelling sprays and/or gels, between February 15 and October 1. In the event that migratory birds are encountered on-site during project construction, adverse impacts on protected birds, active nests, eggs, and/or young would be avoided.

Streams and Riparian Areas: In addition to BMPs required for a TCEQ Storm Water Pollution Prevention Plan and/or 401 water quality permit:

- The use of equipment in streams and riparian areas during construction will be minimized to the extent necessary to complete the construction activities. When possible, equipment access would be from banks, bridge decks, or barges.
- When temporary stream crossings are unavoidable, stream crossings would be removed stream crossings once they are no longer needed and stabilize banks and soils around the crossing.
- When work will occur in the water:
- The project footprints will be surveyed for stated listed species where appropriate habitat exists.
- State listed mussels and SGCN species discovered, would be relocated under a TPWD permit.
- For all construction equipment and gear that comes in contact with any public waters:
- Follow the "TPWD Clean/Drain/Dry Procedures and Zebra Mussel Decontamination Procedures for Contractors Working in Inland Public Waters" (https://tpwd.texas.gov/huntwild/wild/wildlife_diversity/habitat_assessment/tools.phtml)

Vegetation:

- Minimize the amount of vegetation cleared. Removal of native vegetation, particularly mature native trees and shrubs should be avoided to the greatest extent practicable. Wherever practicable, impacted vegetation should be replaced with in-kind on-site replacement/restoration of native vegetation.
- To minimize adverse effects, activities should be planned to preserve mature trees, particularly acorn, nut, or berry producing varieties. These types of vegetation have high value to wildlife as food and cover.
- It is strongly recommended that trees greater than 12 inches in dbh that are removed be replaced. TPWD's experience indicates that for ecologically effective replacement, a ratio of three trees for every one (3:1) lost should be provided to the extent practicable either on-site or off-site. Trees less than 12 inches dbh should be replaced at a 1:1 ratio.
- Replacement trees should be of equal or better wildlife quality than those removed and be regionally adapted native species.
- When trees are planted, a maintenance plan that ensures at least 85 percent survival rate after three years should be developed for the replacement trees.
- The use of any non-native vegetation in landscaping and revegetation is discouraged. Locally adapted native species should be used.
- The use of seed mix that contains seeds from locally adapted native species is recommended.



- Avoid vegetation clearing activities

TxDOT Contact Information

Name: Elisa Garcia

Phone Number: (817) 370-6718

E-mail: elisa.garcia@txdot.gov



Suggested Attachments

Aerial Map (with delineated project boundaries)

USFWS T&E List

TPWD T&E List

Species Impact Table

NDD EOID List and Tracked Managed Areas (Required for TPWD Coordination)

EMST Project MOU Summary Table (Required for TPWD Coordination)

TPWD SGCN List

Photos (Required for TPWD Coordination)

Previous TPWD Coordination Documentation (if applicable)